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8 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
9 AT TACOMA

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 DAVID DEVENNY,

14 Defendant.

CASE NO. CR11-5235-BHS

ORDER DENYING TRAVEL  
REQUEST

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16 THIS MATTER has come before the Court on the referral by the Honorable Benjamin H.  
17 Settle on Defendant's motion to travel to the Philippines for the purposes of obtaining proper  
18 documentation for his marriage to a citizen of the Philippines (ECF No. 52).

19 This Court denied the same motion on July 15, 2011 (ECF No. 35). Since that time,  
20 defendant has entered into a Plea Agreement and pled guilty to the following felony charges: (1)  
21 Unlawfully Dealing of Firearms, in violation of Title 18 U.S.C. § 922(a)(1); (2) Sale of a Firearm  
22 to a Prohibited Person in violation of Title 18 U.S.C. § 922(d)(a); and (3) Sale of a Firearm to a  
23 Prohibited Person, in violation of Title 18 U.S.C. § 922(d)(1) (ECF No. 48). Sentencing is  
24 scheduled for January 23, 2012.

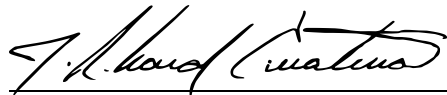
1 Although there is no Sentencing Recommendation in the Plea Agreement, the statutory  
2 penalties for these offenses include imprisonment for up to 5 years on Count 1, plus a fine of  
3 \$250,000 and a period of supervised release for up to 3 years. The penalties for Counts 2 and 3  
4 include imprisonment for up to 10 years, a fine of \$250,000, and a period of supervision  
5 following release for up to 3 years (ECF No. 48).

6 According to defendant's counsel, defendant "exchanged a ceremony of marriage on  
7 October 17, 2011." Notably, this was after this Court had denied defendant's request for travel  
8 (ECF No. 52). Otherwise, the facts have not changed.

9 The Government objects to the motion and argues that allowing the defendant to travel to  
10 the Philippines creates a significant risk of flight.

11 This Court agrees. Defendant's motion is DENIED.

12 Dated this 6th day of December, 2011.

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15 J. Richard Creatura  
16 United States Magistrate Judge  
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